



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,321	01/31/2001	Greg Arnold	PALM-3564.US.P	9217
49637	7590	02/27/2006	EXAMINER	
BERRY & ASSOCIATES P.C. 9255 SUNSET BOULEVARD SUITE 810 LOS ANGELES, CA 90069			GAUTHIER, GERALD	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/775,321

Applicant(s)

ARNOLD ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 23-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 16, 2006 has been entered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claim(s) 23-36** are rejected under 35 U.S.C. 102(e) as being anticipated by Cortopassi et al. (US 6,831,568 B1).

Regarding **claim(s) 23, 31 and 36**, Cortopassi discloses a method of controlling communication routing (FIG. 1A and column 1, lines 8-12), comprising:

outputting, on a palmtop computer, a date book alarm to alert a user of a particular appointment (column 9, lines 11-19);

receiving, on said palmtop computer, an acceptance of said date book alarm (column 9, lines 27-33);

outputting, on said palmtop computer, a plurality of routing profiles when said user accepts said date book alarm, wherein a routine profile defines one or more rules for routing incoming telephone calls to one or more telephone numbers associated with said user (column 9, lines 34-43);

receiving, on said palmtop computer, a selected routing profile for said particular appointment (column 9, lines 34-43); and

outputting, on said palmtop computer, said selected routing profile and information relating to said particular appointment (column 9, lines 44-58).

Regarding **claim(s) 24**, Cortopassi discloses a method, wherein said date book alarm comprises an audio alert that it is time for said particular appointment (column 6, lines 35-47).

Regarding **claim(s) 25**, Cortopassi discloses a method, wherein said date book alarm comprises a visual alert that it is time for said particular appointment (column 6, lines 7-18).

Regarding **claim(s) 26**, Cortopassi discloses a method, further comprising:  
receiving, on a telephone server, said selected routing profile and said  
information relating to said particular appointment (column 8, lines 1-14);

directing, on said telephone server, a plurality of calls using active profiles at a  
time of receipt of each call, wherein said active profiles comprises said selected routing  
profile and said information relating to said particular appointment (column 8, lines 1-  
14).

Regarding **claim(s) 27**, Cortopassi discloses a method, further comprising:  
receiving, on said palmtop computer, a new appointment (column 6, lines 7-18);

outputting, on said palmtop computer, a data entry form to permit said user to  
establish a routing profile for said new appointment (column 6, lines 7-18);

outputting, on said palmtop computer, said established routing profile and  
information relating to said new appointment to a telephone server, and wherein active  
profiles on said telephone server further comprises said established routing profile and  
said information relating to said new appointment (column 6, lines 19-28).

Regarding **claim(s) 28 and 32**, Cortopassi discloses a method, wherein each of  
said plurality of routing profiles comprises a destination phone number (column 6, lines  
52-62).

Regarding **claim(s) 29 and 33**, Cortopassi discloses a method, wherein said destination phone number is selected from a group of phone numbers associated with said user (column 6, lines 52-62).

Regarding **claim(s) 30 and 34**, Cortopassi discloses a method, wherein one or more of said plurality of routing profiles further comprises a source phone number (column 6, lines 52-62).

Regarding **claim(s) 35**, Cortopassi discloses a method, wherein said established information related to said new appointment includes a start time and an end time (column 6, lines 7-18).

### ***Response to Arguments***

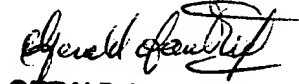
4. Applicant's arguments with respect to **claim(s) 23-36** have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system . Status information for published applications may be obtained from either Private PAIR or Public PAIR . Status information for unpublished applications is available through Private PAIR only . For more information about the PAIR system, see <http://pair-direct.uspto.gov> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) .

  
**GERALD GAUTHIER**  
**PATENT EXAMINER**

Gerald Gauthier  
Examiner  
Art Unit 2645

gg  
February 20, 2006